

AB:AMR

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

COMPLAINT

- against -

(21 U.S.C. § 841; 18 U.S.C. § 2)

ZARWARDY LEWIS,
EVANGELINA NERY,

Case No. 23-MJ-89

Defendants.

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EASTERN DISTRICT OF NEW YORK, SS:

KYLE KNIESTE, being duly sworn, deposes and states that he is a Special Agent with the United States Postal Service, Office of Inspector General, duly appointed according to law and acting as such.

On or about January 26, 2023, within the Eastern District of New York and elsewhere, the defendants ZARWARDY LEWIS and EVANGELINE NERY did manufacture, distribute, dispense, and possess with the intent to manufacture, distribute, and dispense a controlled substance, to wit, cocaine, a Schedule II controlled substance.

(Title 21, United States Code, Section 841; Title 18, United States Code, Section

2)

The source of your deponent's information and the grounds for his belief are as follows:¹

¹ Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware.

1. I am a Special Agent with the United States Postal Service, Office of Inspector General ("USPS-OIG") and have been involved in the investigation of numerous cases involving the distribution of narcotics, including distribution of narcotics by use of the mail. I am familiar with the facts and circumstances set forth below from my participation in the investigation; my review of the investigative file; my review of reports and other records, including commercial and law enforcement databases; and from information obtained from other law enforcement agents involved in the investigation.

2. In December 2022, USPS-OIG special agents searched a parcel originating from a location in the Caribbean with a final destination address in the 11238 postal code in Brooklyn, New York pursuant to a search warrant and found that it contained approximately two kilograms of cocaine. The parcel was one of three parcels that were being tracked by a device with the same IP address. The other two parcels were scanned as delivered within the 11238 postal code in Brooklyn, New York by defendant ZARWARDY LEWIS, who is a USPS mail carrier. USPS records show that the locations where LEWIS scanned them as delivered do not match the destination addresses on those two parcels. I have reviewed electronic payment records revealing that NERY made an electronic payment of \$500 to LEWIS around the time of the delivery of those parcels.

3. On or about January 26, 2023, USPS-OIG agents conducted surveillance of defendant ZARWARDY LEWIS. Agents observed LEWIS park his postal service vehicle in the vicinity of Atlantic Terminal. Agents observed a second individual, who was later identified as defendant EVANGELINA NERY, approach LEWIS's vehicle, hand him an empty plastic shopping bag, and then enter Atlantic Terminal. Shortly thereafter, NERY reemerged from Atlantic Terminal and retrieved the bag from LEWIS, which now appeared to contain a heavy

square object. NERY reentered Atlantic Terminal carrying the bag. Agents approached NERY and saw a USPS parcel in the bag.

4. Agents later searched the parcel contained in EVANGELINA NERY's bag pursuant to a search warrant and found that it contained approximately one kilogram of cocaine.

5. After EVANGELINA NERY was apprehended, she consented to a search of her cell phone. I observed a WhatsApp chat in NERY's cell phone containing outgoing photographs of postal receipts and postal parcels with address information that indicated they were being shipped between the Bronx, New York and the Caribbean. Based on my training and experience, I know that people who are engaged in the shipment of narcotic drugs and controlled substances through the mail will frequently provide the intended recipients with information about incoming parcels so that the intended recipients will know to look for the parcels.

6. After ZARWARDY LEWIS was apprehended, he was advised of his Miranda rights, agreed to speak with agents, and stated in substance that he diverted parcels he believed to contain drugs in exchange for \$500 per parcel. LEWIS further stated in substance that he had received payment via cash and via a mobile electronic payment application. LEWIS also stated in substance that EVANGELINA NERY was the recipient of the previous parcels he had diverted.

WHEREFORE, your deponent respectfully requests that the defendants
ZARWARDY LEWIS and EVANGELINA NERY be dealt with according to law.



KYLE KNIESTE

Special Agent

United States Postal Service, Office of Inspector
General

Sworn to before me this
27 day of January, 2023



THE HONORABLE LOIS BLOOM
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK